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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,062	06/24/2003	Satoru Kiyohara	58604-028	9883
<div>7590 McDermott, Will & Emery 600 13th Street, N.W. Washington, DC 20005-3096</div>			<div>EXAMINER DICKERSON, CHAD S</div>	
			<div>ART UNIT 2625</div>	<div>PAPER NUMBER</div>
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/602,062	Applicant(s) KIYOHARA, SATORU	
	Examiner Chad Dickerson	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 6, filed 8/7/2007, with respect to the drawing objection have been fully considered and are persuasive. The objection of figure 4 has been withdrawn.
2. Applicant's arguments, see page 6, filed 8/7/2007, with respect to 112 second paragraph rejection have been fully considered and are persuasive. The 112 second paragraph rejection of claim 1 has been withdrawn.
3. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

4. Claims 1-5 are objected to because of the following informalities:
 - Re claim 1: on line 3, it is suggested that the phrase "image recorder storing" be changed to the phrase -- image recorder recording -- since the image recorder does not store information, but it records or prints information. Claims 2-5 are also objected because of their dependence

Appropriate correction is required.

Allowable Subject Matter

5. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Walter (US Pat No 4977832) in view of Shiraishi '427 (Us Pub No 2001/0020427).

Re claim 1: Walter '832 discloses a method and apparatus for coordinating a printing press control with a hard copy image, comprising:

a plurality of key control switches corresponding to the plurality of ink keys for adjusting opening degrees of the respective ink key (i.e. in the system of Walter '832, a plurality of ink control keys, considered as key control switches, are used for adjusting the amount of ink to be placed on a respective zone that the key controls. The increase and decrease of the ink keys is analogous to the opening degree of the ink keys since these methods both adjust the amount of ink being used to print in a certain area; see fig. 1; col. 1, lines 9-36 and col. 4, lines 1-16);

a touch sensitive control panel for adjusting the opening degrees of each of the respective ink keys (i.e. in the background of the invention, it discloses a control console that has ink control keys that have the ability to increase or decrease the zone in which the ink is used. When using the ink keys, the increasing and decreasing of the ink zones is analogous to the opening degree of the ink keys since these methods both

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adjust the amount of ink being used to print in a certain area. Also, later described in a preferred embodiment, the control panel is touch sensitive, since the ink keys (5 and 6) are adjusted by the user's touch; see fig. 1; col. 1, lines 9-36 and col. 4, lines 16); and

a control unit for displaying images of the plurality of key control switches on the touch sensitive control panel, and superimposing an image of the pattern of the produced print on the images of the plurality of key control switches on the touch sensitive control panel by using the image data (i.e. in the background of the invention, the prior art mentioned discloses having a display screen display control information regarding the density values, adjustments and tolerances. This display also shows a superimposed image on the control information so a direct correlation can be between the image and the respective density and other values corresponding to the image. Also, mentioned in col. 6, lines 28-68 is the description of the same display used in the system of Walter '832 as a touch screen. This screen enables the user to directly increase or decrease the density values using the touch screen, which is considered as the touch sensitive control panel that displays a plurality of key control switches, since these displayed density values can be adjusted as switches. Also, with the image being superimposed on the control information, such as the adjustable density values using the touch screen of Walter '832, the above feature is performed; see fig. 1; col. 1, lines 9-68, and col. 6, lines 12-68).

However, Walter '832 fails to teach a plate cylinder having a printing plate mounted on a periphery thereof; an image recorder storing image data and performing platemaking on the printing plate by using the image data; a plurality of ink keys

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installed in a row located axially to the plate cylinder; a printing unit for printing a pattern of a print on printing paper to produce the print by transferring an ink fed to the printing plate onto the printing paper while transporting the printing paper in a predetermined printing direction, and discharging the produced print; a color density measuring unit for measuring color density of the produced print discharged from the printing unit; an ink key opening degree adjusting unit for controlling ink feeding rates by adjusting the opening degrees of each of the ink keys based on the color density of the produced print.

However, this is well known in the art as evidenced by Shiraishi '427. Shiraishi '427 discloses a plate cylinder having a printing plate mounted on a periphery thereof (i.e. in the system of Shiraishi '427, the first and second plate cylinders respectively have peripheral surfaces for holding printing plates for two colors. This performs the feature of having a plate cylinder having a printing plate capable of being mounted on the periphery; see fig. 1; paragraphs [0034]-[0040]);

an image recorder storing image data and performing platemaking on the printing plate by using the image data (i.e. the image recording section (13) is used to record an image on a printing plate. The image is formed on the printing plate through the control of a laser beam. This performs the feature of performing platemaking on the printing plate since this forms the respective image on the printing plate; see fig. 1; paragraphs [0056]-[0060]);

a plurality of ink keys installed in a row located axially to the plate cylinder (i.e. in the system, the ink key is contacting with the peripheral surface of the ink fountain roller

(20) provided along the axial line of the plate cylinder. The ink key (21) is divided in plurality of sections along the axial direction of the ink fountain roller (20); see fig. 1-3; paragraphs [0046]-[0056]);

a printing unit for printing a pattern of a print on printing paper to produce the print by transferring an ink fed to the printing plate onto the printing paper while transporting the printing paper in a predetermined printing direction, and discharging the produced print (i.e. the impression cylinder (5) and the blanket cylinders (3 and 4) are considered as the printing unit since the impression cylinder holds the printing sheet and the blanket cylinders transfers the ink images to the impression cylinder for printing the image on the printing sheet. The printing on the print sheet involves transferring ink from the plate cylinders (1 and 2) to the blanket cylinders that carry the ink images. The printing paper is then transported in a printing direction, from the feeding section (10) to the discharge section (11) where the print sheet has been printed and is now discharged; see fig. 1-3; paragraphs [0042]-[0056]);

a color density measuring unit for measuring color density of the produced print discharged from the printing unit (i.e. the imaging means is used to read the images corresponding to the three colors red, green and blue. This measures the color density of these colors on the images that have been discharged from the impression and blanket cylinders, which are considered as the printing unit; see figs. 1-3; paragraphs [0005], [0068]-[0083]);

an ink key opening degree adjusting unit for controlling ink feeding rates by adjusting the opening degrees of each of the ink keys based on the color density of the

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produced print (i.e. the ink feeding means is used to control the ink feed rate of each color along the axial direction of the plate cylinder. Adjusting the aperture of the ink key performs the ink feeding adjustment. The aperture is the same as the opening degrees of the ink key since the aperture represents the actual amount or degree of the opening of the ink key. Therefore, the function of the ink key opening degree adjusting unit is performed; see figs. 1-3; paragraphs [0047]-0055)).

Therefore, in view of Shiraishi '427, it would have been obvious to one of ordinary skill at the time the invention was made to have a plate cylinder having a printing plate mounted on a periphery thereof, an image recorder storing image data and performing platemaking on the printing plate by using the image data, a plurality of ink keys installed in a row located axially to the plate cylinder, a printing unit for printing a pattern of a print on printing paper to produce the print by transferring an ink fed to the printing plate onto the printing paper while transporting the printing paper in a predetermined printing direction, and discharging the produced print, a color density measuring unit for measuring color density of the produced print discharged from the printing unit, an ink key opening degree adjusting unit for controlling ink feeding rates by adjusting the opening degrees of each of the ink keys based on the color density of the produced print in order to have a printing press for printing an image on a printing sheet on the basis of first image data (as stated in Shiraishi '427 paragraph [0010]).

Re claim 2: Walter '832 discloses a printing machine, wherein said key control switches are displayed as superimposed on the image of said print being processed, by

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transmitting said key control switches through the image of said print (i.e. the controls that are used to adjust the ink zone are on the actual image on the electronic display. It is inherent that the control switches are transmitted through the image of the print in the device of Walter '832; see fig. 1; col. 6, lines 28-49).

Re claim 3: Walter '832 discloses a method and apparatus for coordinating a printing press control with a hard copy image, comprising:

a touch sensitive control panel for adjusting the opening degrees of said ink keys (i.e. in the background of the invention, it discloses a control console that has ink control keys that have the ability to increase or decrease the zone in which the ink is used. When using the ink keys, the increasing and decreasing of the ink zones is analogous to the opening degree of the ink keys since these methods both adjust the amount of ink being used to print in a certain area. Also, later described in a preferred embodiment, the control panel is touch sensitive, since the ink keys (5 and 6) are adjusted by the user's touch; see fig. 1; col. 1, lines 9-36 and col. 4, lines 16);

an image memory for storing an image of said print being processed (i.e. in the background of the invention, the hard copy image in printed form is scanned and then stored for later display on the same screen which displays the control information; see col. 1, lines 9-63 and col. 2, lines 1 and 2); and

a control unit for displaying, in superimposition on said control panel, key control switches for adjusting the opening degrees of said ink keys (i.e. using a touch screen,

the image is divided in a zone-by-zone basis and the user uses the touch screen to decrease or increase the ink zone according to the amount desired to be supplied to the press. In this case, the touch screen acts as the control panel; see fig. 1; col. 6, lines 28-49), the color density of said print measured by said color density measuring unit (i.e. in the background of the invention, the conventional system would display the ink density values measured by the system. The ink density is analogous to the color density since a density measuring device, or color densitometer, measures the density of the ink, regardless of color. Although, different colors may have different densities, it is still clear that the ink on a particular surface is measured for a density value; see fig. 1; see col. 1, lines 9-63; col. 2, lines 1 and 2; col. 4, lines 1-16 and col. 9, lines 28-57), and an image of said print being processed (i.e. the ink control information is superimposed on the image and the density values can be superimposed on the display with the actual image of the form being printed, so in light of these elements, the above feature is performed; see col. 1, lines 37-57 col. 3, lines 59-66; col. 4, lines 1-16 and col. 6, lines 28-49).

Re claim 4: Walter '832 discloses a printing machine, wherein said key control switches and the color density of said print measured by said color density measuring unit are displayed as superimposed on the image of said print being processed (i.e. the touch screen can be used to adjust the ink key zones by increasing or decreasing the parameter from the electric display (9). Also, the system has the feature of displaying control information like ink density information on the display screen (7), which is apart

of the electric display (9). Therefore, the above feature is performed; see fig. 1; see col. 3, lines 59-66; col. 4, lines 1-16 and col. 28-49), by transmitting said key control switches and said color density through the image of said print (i.e. it is clear that both the ink key zone adjusters and the density values are transmitted through the image since both of these factors are on the screen being transmitted on or through the image; see col. 3, lines 59-66; col. 4, lines 1-16 and col. 28-49).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

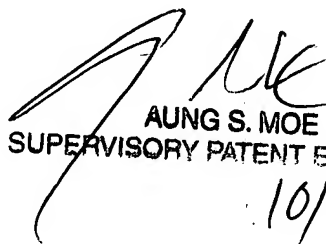
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Dickerson whose telephone number is (571)-270-1351. The examiner can normally be reached on Mon. thru Thur. 9:00-6:30 Fri. 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571)- 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CD/CD
Chad Dickerson
October 11, 2007


AUNG S. MOE
SUPERVISORY PATENT EXAMINER
10/11/07